

**JUDGE'S COPY**  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM BRANCH  
PLAINTIFF

V.  
c/o RUSSIAN et.,al.

1:C.V.-00-1728

(Judge RAMBO)

**FILED**  
**HARRISBURG**

APR 08 2002

BRIEF IN SUPPORT OF MOTION FOR DISCOVERY MARY E. ANDREA, CLERK  
DEPUTY CLERK

IF IT PLEASE'S THE COURT HERE COMES WILLIAM BRANCH WITH A BRIEF  
IN SUPPORT OF A MOTION FOR DISCOVERY.

WILLIAM BRANCH BEING HELD IN S.C.I. WAYMART FILED A 42 USC  
§ 1983 IN APRIL OF 1999 AGAINST SEC. HORNE OF THE D.O.C. et.,al.  
(M.D.PA. CIV. NO. 99-C.V.-00670) NOW PRESENTLY STAYED PENDING THE  
DECISION OF LILE V. McKUNE 224 3d 1175 (10 th. CIR. 2000) ORDERED  
9/22/01 BY THE UNITED STATES SUPREME COURT.

THESE CASES DEAL WITH PAROLE AND MY BEING DENIED, BASED ON MY NOT  
ATTENDING THE S.O.P. PHASE II (ADMITTING GUILT) I DID COMPLETE THE  
EDUCATION PHASE I.

IN MY § 1983 MR FRIEDMAN(UNITED MANGER) IS A DEFENDANT IN FEBUARY  
OF 1999 I WAS DENIED PAROLE, I FILED A LAW SUITE THE NEXT TIME I  
CAME UP FOR PAROLE THE STATE POLICE HAD PUT SOME NEW INFORMATION TO  
MY FILE WHICH WAS FALSE.

WHEN I EXPLAINED TO THE PAROLE INTERVIEWER THAT THIS INFORMATION  
WAS FALSE THEY INFORMED ME THAT I HAD TO GET IT CORRECTED!

DURNING THE YEAR MR FRIEDMAN BEGAIN TO MISTREATING ME BECOUSE I WAS  
SUEING HIM HE USED THE BLOCK C/O'S TO HARRASS ME AND AT WORK THE  
STAFF WROTE FALSE CHARGES AGAINST ME ON THE MISCONDUCTS THEY FILED

I WAS FORCED TO GIVE UP MY BOTTOM BUNK WHEN I HAVE A MEDICAL PRO-  
BLEM REQUIORING ME TO BE ON A BOTTOM, THIS WAS DONE TO MAKE ROOM FOR  
A INMATE WHO SNORED VERY LOUDLY. NOW HE WAS SNOREING LOUDLY UNDER  
ME IN THE SMALLEST SIDE ON THE BLOCK!

1:c.v.-00-1728

NOW IF THIS WAS NOT ENOUGH BECOUSE OF THIS INMATE I ALONG WITH ANOTHER INMATE LIVING IN THE SAME ROOM, WE WERE TOLD THAT WE WOULD BE MOVED OUT OF THE ROOM IF ANYONE ARGUED.

I WAS NOT ARGUEING WITH MR LEWIS AND I EXPLAINED THIS TO MR FRIEDMAN FACE TO FACE AND ITOLD HIM THAT I WAS NOT RESPOINSIBLE FOR THE ACTIONS OF ANOTHER INMATE, I ALSO SAID THAT IF YOU ARE DOING THIS I WOULD MOVE BEFORE THERE WAS A ARGUEMENT AGAIN I DID NOT WANT THIS ON MY RECORD.

NOW WE COME TO C/O RUSSIAN HE WAS MOVED ON THE BLOCK TO DO THE DIRTY WORK,THIS C/O HAS A REPUTATION FOR WRITING UP INMATES USEING FALSE CHARGES HE HAS NO CONSCIENCE WITH REGARD TO HONOR IN FACT HE ENJOYS DOING THAT.

C/O RUSSIAN WAS NOT ON THE BLOCK LONG BEFORE HE BEGAIN TO HARRASS THE INMATES AND THIS PLAINTIFF AS WELL, THIS WAS DONE WITH THE SAFETY AND SECURITY INSPECTION. THE POLICY STATES THAT NO INMATES PROPERTY WILL BE DISTURBED DURNING INSPECTION THE ACTION OF THIS C/O VIOLATES THE D.O.C. POLICY 203.

WHEN I EXPLAINED THIS TO C/O RUSSIAN HE BE CAME OUT RAGED AND SAID I'LSHOW YOU HOW A SAFTY AND SECURITY INSPECTION IS DONE WITH THAT HE WENT THROUGH ALL MY PERSONNEL PROPERTY AND LEFT IT A MESS.

I SPOKE WITH CPT. GRIFFIN,MR GORMAN,THE BLOCK PSYCOLOGIST, MR FRIEDMAN, I WROTE A REQUEST TO MR COLLERAN AND I WROTE A GRIEVANCE ON 7/20/00, NOTHING WAS DONE ON 7/27/00 THIS SAME C/O WROTE ME UP STATING THAT I THREATEN HIM AND I WAS FOUND GUILTY AND DID 45 DAYS IN THE HOLE. MR COLLERAN IS THE SUPERTENDANT AT S.C.I. WAYMART. AFTER I REPORTED C/O RUSSIAN THE HARRASSING INCREASED AND CONTUINED,WITH "TALKING UNDER MY CLOTHES TELLING INMATES THAT I WAS GAY AND A SNITCH ALSO DENING ME PRIVILGES THAT OTHER.

WHILE IN THE HOLE THE STAFF CONTUINED TO HARRASS ME TAMPERING WITH MY FOOD AND DRINK LIDS TO GIVE ME THE IMPRESSION THAT SOMETHING HAD BEEN PUT IN IT,ALSO MY CALORIES FOR FOOD WERE CHANGED AND THE PERSON ALLEDGED TO HAVE ORDERED IT WROTE ME A ANSWER STATING THAT HE DID NOT ISSUE THAT ODER,I WAS DENIED GRIEVANCE FORMS ALONG WITH REQUEST SLIPS, MYSELF AND MR KING WERE DEN IED THE USE OF THE MINI LAW LIBRARY WHEN THE POLICY CLEARLY STATES THAT TWO INMATES MAY USE IT AT THE SAMETIME,THIS WAS A CLEAR HINDERANCE TO MY ACCESS TO COURT

1;C.V.-00-1728

taking my legal papers for over thirty days and trying to force me to mail out property so they could put my legal papers in my property being mailed out without me giving them permission or my knowing untill it was to late, as thy had done before.

DURNING THIS TIME I HAD LEGAL ACTION PENDING IN THE COURT BOTH CIVIL AND CRIMINAL TO WHICH MY INJUNCTIONS WERE DENIED AND MY CRIMINAL CONVICTION WAS AFFIRMED BECOUSE I WAS NOT ABLE TO PROPERLY PLEAD THEM. ALL THESE ACTIONS WERE DONE IN VIOLATION OF MT RIGHTS INCLUDING MY RIGHTS TO ACCESS THE COURTS AND IN RETALIATION FOR ME REPORTING MISCONDUCTS BY STAFF.THESE ACTIONS ARE FURTHER AGGRAVATED BY THE FACT THAT I AM A BLSCKMAN AND THEY ARE WHITE GIVING IT'S MOTIVES A STRONG AROMA OF RACISM "RACIALLY MOTIVATED"DISPARITY IN THE CRIMINAL JUSTIC SYSTEM IS WELL DOCUMENTED (STATE V. BASS 6th CIR. No.01-1213, 9/25/01) THE D.OJ. STATISTIC SHOW THAT BLACKS ARE CHARGED WITH A DEATH ELIGIBLE OFFENSE TWICE AS OFTEN AS IT CHARGES WHITES AND IN PENNA THE D.O.C. HAS BEEN EXPOSED BY PSYCHOLOGIST FOR "A PRACTICE OF DENING PAROLE TO BLACK MUSLIM" BECOUSE OF THEIR RACE AND RELIGION.

THESE STATISTIC I AM ASKING FOR WILL SHOW THAT THE PAROLE BOARD HAS BEEN RACIALLY SELECTIVE IN GRANTING PAROLE AND THAT BECOUSE OF MY ACCESSING THE COURTS THEY DENIED ME PAROLE,AND THAT THIS ACT WAS A RETALIATORY.

ACCORDING TO LOCAL RULE 26 AND GENERAL PROVISIONS GOVERNING DISCOVERY; DUTY TO DISCLOSURE AND THE FREEDOM OF INFORMATION ACT AND THE RIGHT TO KNOW ACT 65P.S. § 66.1(2) NEYHART V.. D.O.C. 721 A2d 391 at 393,94 see footnote 6.

FOR THESE REASONS I ASK THIS HONORABLE COURT TO GRANT MY REQUEST FOR DISCOVERY AND DISPOSITIONS

RESPECTFULLY

DATE 4/3/02

William B. Birch CF 3756  
P.O. BOX 256  
WAYMART, PENNA.18472

PROOF OF SERVICE

I, the undersigned, verify that I have served a copy of this petition by U.S. postage paid mail to:

Judge Rambo  
Po Box 983  
Harrisburg Pa 17108  
3 Copies

Esq. Gold  
7837 Old York Road  
Elkins Park, Pa. 19027  
17108

Deputy attorney  
General Ms Mosley  
Strawberry St  
15th Fl

Please make Copies and send  
to Defendants

MOTION TO PROCEED IN FORMA PAUPERIS

I, the undersigned, move this Honorable Court for an order permitting me to proceed In Forma Pauperis. I had previously been granted In Forma Pauperis status. My financial situation has not changed. I am still unable to pay the cost of the said proceedings.

VERIFICATION

I, the undersigned, verify that the above statements are true and correct and that any false statements herein are made subject to Title 18 Pa.C.S.A. section 4904 relating to unsworn falsification to authorities.

Respectfully submitted,

Dated: \_\_\_\_\_

4-3-02

Wm Branch CF3756

S.C.I. Waymart  
P.O. Box 256  
Waymart, PA 18472-0256